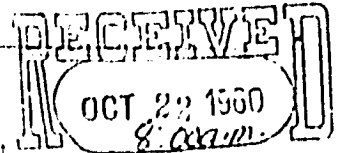


- 746-3
1. Considered (12-21), 12 Nov
 2. Name of Applicant Stamper Union, C.T.A.
 3. Post Office Address St. Paul, Minn.
 4. Amount of water claimed 0.33
 5. Source of water supply St. Paul, Minn.
 6. Water to be used for irrigation
Acres to be irrigated 17.5
 7. Water to be diverted and used in St. Paul, Minn. County about
4 1/2 miles of St. Paul, Minn.
 8. Proof of Publication Received ✓
Not Received _____
 9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
 10. Remarks:

Sub development



No. 746-3
 Water Division No. 3 Big Sioux River District
 (Blanks to be Filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
 SIOUX FALLS, SOUTH DAKOTA

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Flanagan & Son, Grain Terminal Assoc.
 Postoffice address 1667 N. S. Highway County St. Paul State Minnesota

I. If a corporation

- (a) Name of same _____
 (b) Date and place of incorporation _____
 (c) Amount of capital stock _____
 (d) Amount paid in _____
 (e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

direct labor & contract
 (b) Cash on hand, \$ adequate to accomplish work (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work ATA / #

3. Amount of water claimed 13 cubic feet per second

4. Source of water supply Wells - GROUND WATER

5. Location of point of diversion note accompanying map

694.1' N & 179.3' W from the SE corner Sec 9 T46N, R50W on _____ bank _____ County.

6. Annual period or periods during which water is to be used Jan. 1st to Jan. 31st

7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? sprinkler

(a) Number of acres to be irrigated 17.45 acres.
 (b) Legal subdivisions to be irrigated IN SE 1/4 Sec 9 T46N R50W

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use milling, and domestic
 Name any of the above uses claimed

(b) Amount of power to be generated 200 horse power.

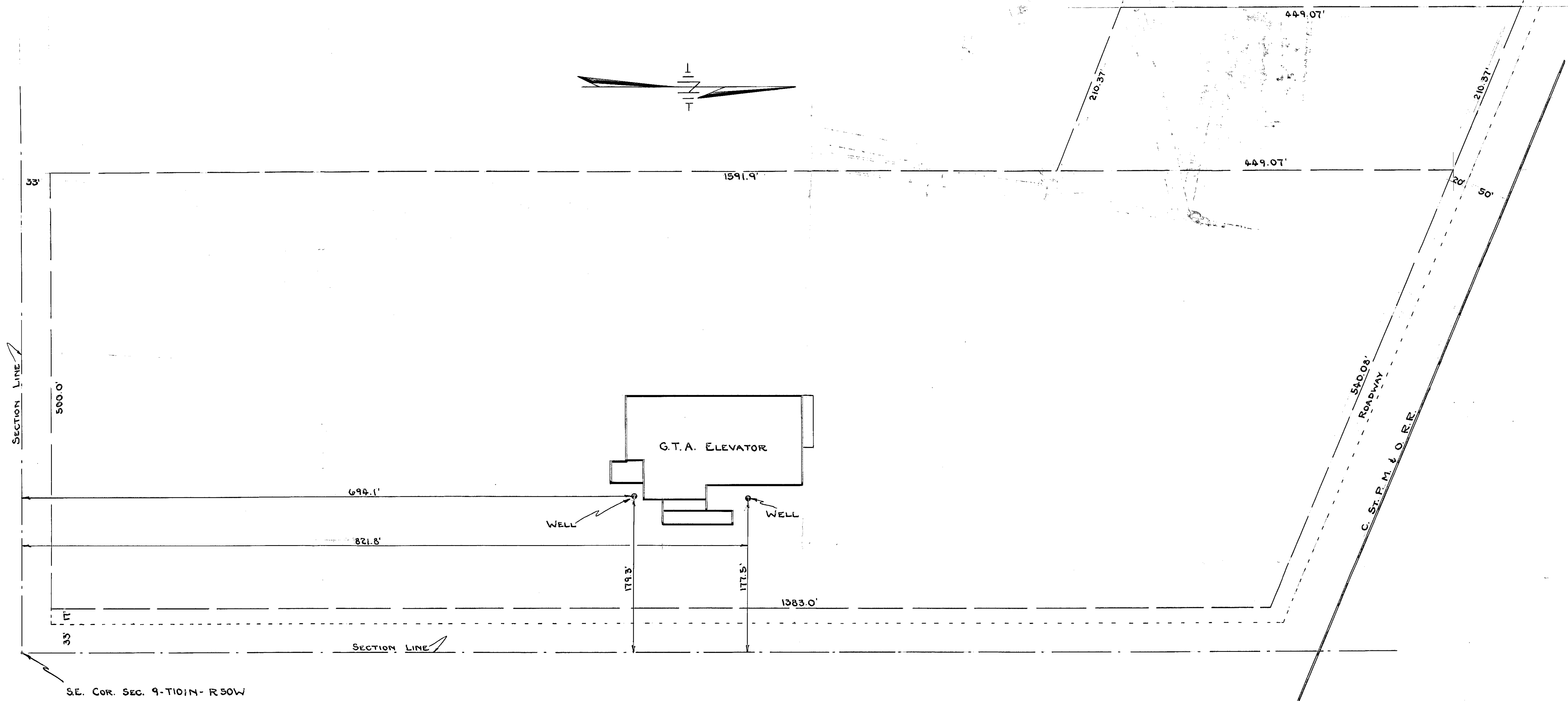
Amount claimed for engine cooling 5.5 GPM

(c) Location of plant _____

(d) Method of developing power Boilers

(e) Point where water will be returned to stream _____

MAP NO 555-3



I, RAYMOND JORGENSEN, REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF TRACT 1 IN S.E. 1/4 SEC. 9 T101N-R50W, MINNEHAHA COUNTY, SOUTH DAKOTA AND LOCATED TWO WELLS AS SHOWN ABOVE, FOR THE PURPOSE OF COMMERCIAL CONSUMPTION

SIOUX FALLS, S. DAK.

OCT. 12, 1960

SCALE: 1" = 60'

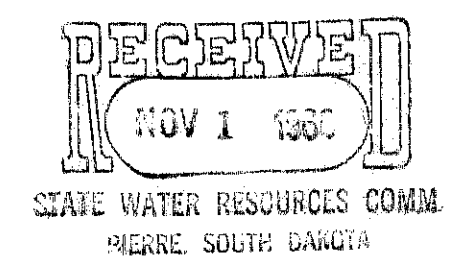
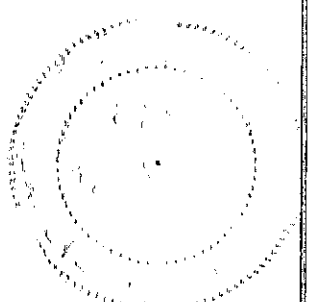
Raymond Jorgenson
RAYMOND JORGENSEN R.L.S.

STATE OF SOUTH DAKOTA) ss
COUNTY OF MINNEHAHA)

ON THIS 12TH DAY OF OCTOBER BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED RAYMOND JORGENSEN WELL KNOWN TO ME TO BE THE PERSON DESCRIBED AND ACKNOWLEDGED THAT HE EXECUTED THE CERTIFICATE FOR THE PURPOSE CONTAINED THEREIN IN WITNESS WHEREOF I HERETO SET MY HAND AND OFFICIAL SEAL.

January 7, 1961
MY COMMISSION EXPIRES

Flora R. Rasmussen
NOTARY PUBLIC



Feet- 1969

- 3Ø Power Line
- +++++ Railroad
- ***** Septic Drain Field
- - - - - Water distribution Lines - Wells
- +++++ Water distribution Lines - Rural Water
- Blacktop Areas

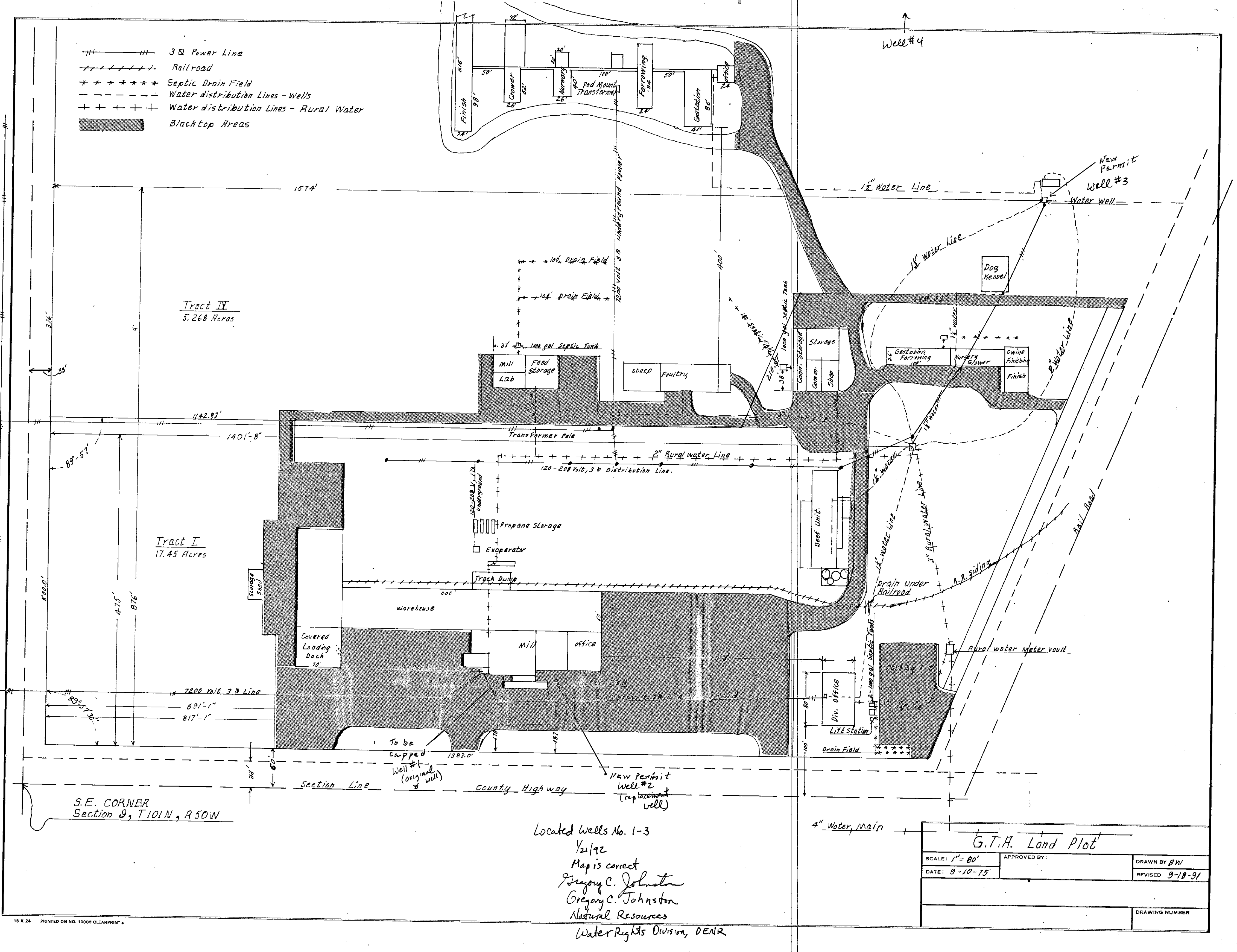
Tract IV
5.268 Acres

Tract I
17.45 Acres

S.E. CORNER
Section 9, T10N, R50W

Located Wells No. 1-3
1/21/92
Map is correct
Gregory C. Johnston
Gregory C. Johnston
Natural Resources
Water Rights Division, DENR

G.T.A. Land Plot		
SCALE: 1" = 80'	APPROVED BY:	DRAWN BY BN
DATE: 9-10-75		REVISED 9-18-91
		DRAWING NUMBER



Remarks by State Water Resources Commission:

THE CITY OF SIOUX FALLS HAS PRIORITY RIGHTS TO THIS WATER UNDER FUTURE USE WITHDRAWAL PERMITS, AND THIS APPLICATION IS APPROVED SUBJECT TO THESE PRIOR RIGHTS IF OR WHEN THE CITY DEVELOPS THE RESERVED WATER SUPPLY.

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, DECEMBER 28, 1960

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock a.m. upon the 22nd day of October, 1960.

State Water Resources Commission

By:

Paul M. Jones
for Chief Engineer, Executive Officer

Number of permit 746-3

Date of first receipt of application October 22, 1960

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right October 22, 1960

Approved December 21, 1960, Recorded in Book 6 Page 159

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

JUNE 21, 1962

2nd. The whole of said work is to be completed on or before DECEMBER 21, 1963

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

DECEMBER 21, 1965

4th. The water appropriated shall be used for the purpose of irrigation & industrial

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 0.33 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

~~and other purposes~~ domestic & milling purposes

and beneficially applied for irrigation on or before December 21, 1965; said water to be used during the following described annual period:

continuously
Witness my hand this 28th day of December, 1960.

State Water Resources Commission

By:

Paul M. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued August 28, 1961

Water License Issued August 28, 1961

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 30'
 Type of casing Steel
 (wood, concrete, steel, etc.)
 Size of casing 18", Thickness of casing 1/2 Gauge
 Length of casing 30' If collection gallery, length, size and depth of
 gallery

(b) Screens

Type of perforated screen Rever
 Size of perforated screen 18" (diameter), 9' (length)
 Thickness of gravel pack 6", length of gravel pack 24'

(c) Water Bearing Materials

Distance to water 8' Character of water bearing materials
Coarse gray sand
 Thickness of water bearing material

(d) Pump and Motor

Type of pump Submersible
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump Pumpster, size 1 H.P.
 Kind of motor Electric
 (gasoline, electric, diesel, etc.)
 Horsepower 1, Name of Motor Pumpster

(e) Complete well

Capacity 150 at drawdown of 3 1/2 Estimated cost \$500.00

(f) Owner of land upon which well is located

Name Norman Union
 Address Chain Terminal Assoc., 1667 No. Dellinger St. Paul, Minn.

(g) Distance to nearest existing wells

On same owner's property 46 rods. On property owned by others 40 rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 746-3

WHEREAS, On the 22nd day of October A. D. 1960
The Farmers Union Grain Terminal Association
 of St. Paul County of Ramsey and State of
Minnesota duly made application (No. 746-3) to us for a permit to use .32
 cubic feet per second of the waters of ground water
 County of Minnehaha, State of South Dakota, for irrigation and industrial
 purposes; and

WHEREAS, On the 28th day of December A. D. 1960
 Permit No. 746-3 was issued to said applicant... for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 21st day of
December A. D. 1963 and for the application to beneficial use of said
 water on or before the 21st day of December A. D. 1965
 and,

WHEREAS, On the 17th day of May A. D. 1961
 the holder... of said permit duly made proof of the completion of adequate works for the diversion of .33
 cubic feet per second of said waters, as evidenced by our Certificate No. 746-3
 dated August 28, 1961 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use .33 cubic feet per second of water, with date of
 priority of October 22, 1960 and,

WHEREAS, On the 17th day of May A. D. 1961
 proof was duly made of the application to beneficial use of .33 cubic feet per second of said water;
 for providing irrigation on 17.45 acres in the SE $\frac{1}{4}$ Section 9, T 101N,
R 50W, and for water supplies for milling and plant operation

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to the Farmers Union Grain Terminal Association
of St. Paul, Minnesota the holder.... and owner.... of said permit No. 746-3
a water right, dating from October 22, 1960 to the use of .33
cubic feet per second of the waters of Ground water
In the County of Minnehaha and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted at a point 694.1' N and 172.3' W
from the SE corner Section 9, T 101N, R 50W
and conducted to and xxxxx milling plant and onto 12.45 acres

for the purpose.... of Industrial and irrigation use

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 23rd day of August A. D. Nineteen
Hundred and sixty-one

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRINES

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 746-3Water Division No. 3 Big Sioux River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Farmers Union Grain Terminal Associationof St. Paul, County of Ramsey, and State of Minnesotathe holder of Permit No. 746-3, Issued upon Application No. 746-3, bearing date of priority of October 22, 1960, authorizing the diversion of.33 cu. ft. per second of the waters of Ground waterCounty of Minnehaha, State of South Dakota, at a point 694.1' N and 179.3' W from the SE corner Section 9, T 101N, R 50Wfor irrigation, milling and domesticpurposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use .33 cu. ft.per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 17.45 acres in the SE $\frac{1}{4}$ Section 9, T 101N, R 50W, and formilling and domestic supplies for plant operation,Witness my hand this 26th day of August A. D. 1961

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

(First Publication on or before Nov. 23, 1960)

APPROPRIATION OF WATER

Office of State Water Resources Commission.

Pierre, S. Dak., November 7, 1960

Notice is hereby given that Farmers Union Grain Terminal Assoc. whose postoffice address is St. Paul, Minnesota ~~xxxxx~~, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.33 cubic feet of water per second of time from ~~the~~ ground water through the G. T. A. #1, the point of diversion of which is to be located ~~xxxxx~~ ~~xxxxx~~ in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9 Twp. 101 N. Range 50 W. Said water to be used for the purpose of providing ~~xxxxx~~ ~~xxxxx~~ ~~xxxxx~~ domestic and milling supplies for feed mill.

~~xxxxx~~ and for ~~xxxxx~~ ~~xxxxx~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 21st day of December, 1960, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

cc: W.H. Leopard-Manager
Sioux Falls Area Leader
Sioux Falls, South Dakota

State Water Resources Commission

By:

~~xxxxx~~
Burton F. Jones
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Minnehaha } ss.

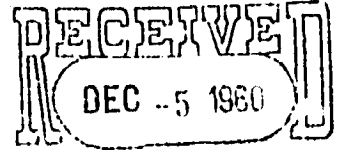
W. T. Haugar being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Sioux Falls Argus Leader a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Sioux Falls County of Minnehaha and State of South Dakota; that the said notice was published in said newspaper on the following dates:

November 9, 1960
November 16, 1960
November 23, 1960
November 30, 1960
 in each and every issue of the full number thereof, the first publication being made on the 2th day of November 1960 and the last publication on the 30th day of November 1960, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Controller the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 30th day of November A. D. 1960

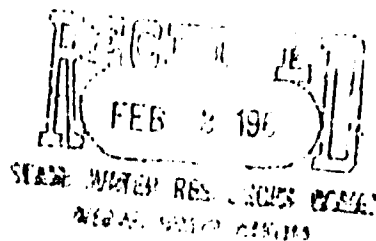
Notary Public Minnehaha County, S. D.

Eleanor Tague
 My Commission Expires
 June 30, 1966



STATE WATER RESOURCES COM.
 PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER
 Office of State Water Resources Commission
 Pierre, S.D., Nov. 7, 1960
 Notice is hereby given that Farmers Union Grain Terminal Association whose postoffice address is St. Paul, Minnesota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.33 cubic feet of water per second of time from ground water through the G.T.A. No. 1, the point of diversion of which is to be located in the SE 1/4 of the NE 1/4 of Section 9, Twp. 16N, Range 50W. Said water to be used for the purpose of providing domestic and milling supplies for feed mill.
 This application will be taken up by the State Water Resources Commission at their office of Pierre for consideration upon the 21st day of December, 1960, at 2 p.m. All interested persons may appear and be heard.
 Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
 State Water Resources Commission,
 By: Burton F. Jones,
 Water Right Specialist.
 (Nov. 9, 16, 23, 30)

Permit No. 746-3Water Division No. 3 Big Sioux River Water District

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) ST. PAUL MINN(Date) FEBRUARY 1, 1961

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____

_____ ¹/₃ _____ cu. ft. per second of the waters of the state from GROUND WATER
through the USE OF 2- WELLS
for IRRIGATION AND INDUSTRIAL purposes

_____ in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is FARMERS UNION GRAIN TERMINAL ASSOCIATION

2. The postoffice address of such person or the place of business of such corporation is 1667 W. SNELLING ST. PAUL,
County of RAMSEY State of MINN

3. The number of such permit is 746-3 and the date set for the completion of such work is MARCH 1, 1961

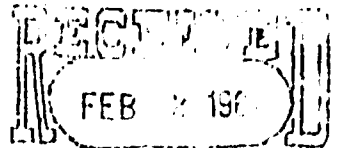
4. Said water to be used for IRRIGATION & INDUSTRIAL purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1/₃ _____ cubic feet per second.

6. The amount of land for which said water is available is 17.45 acres,
particularly described as follows: SE 1/4, SEC. 9, T110 N, R50 W,
MINNEAPOLIS COUNTY, S.D.

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Permit No. 746-3Water Division No. 3 PIC SOUTHERN RIVER Water District STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) ~~MINNAPOLIS~~ ST. PAUL, MINN.(Date) FEBRUARY 1, 1961

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the FIRST day of MARCH 1961, at ELLIS County of MINNEAPOLIS State of South Dakota, before _____ proof will be submitted of the application to beneficial use (Examining Engineer or Officer) of $\frac{1}{3}$ cubic feet per second of the waters of GROUND WATER in accordance with the terms and conditions of Permit No. 746-3 heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are FARMERS UNION GRAIN TERMINAL ASSOCIATION, 1667 N. SNELLING ST. PAUL MINN.
- The use to which said water has been applied is IRRIGATION AND INDUSTRIAL
- The amount applied to beneficial use is 17.45 ACRES
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) SE $\frac{1}{4}$, SEC. 9, T110 N., R50 W., MINNEAPOLIS COUNTY, S.D.
- The name of the canal or ditch or other works by which said water is conducted to such place of use is _____
- The right to take the water from such works is based upon permit No. 746-3
- The source of supply from which such water is diverted is GROUND WATER
- The date of priority which said user is prepared to establish is MARCH 1, 1961

(Sign) P. M. Holton

Permit No. 244-3

BIL SIMON

Water Division No. 3

RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated Feb 1, 1961, 1961, I have this day made a thorough examination of the diversion works constructed by FARMERS UNION GRAIN TERMINAL ASSN. of ST. PIERRE MOUNTAIN 1667 No. SNELLING AVE County, South Dakota, holder of Permit No. 244-3, issued upon Application No. 244-3, bearing date of priority of Dec 30, 1960, authorizing the diversion of 1/3 cu. ft. per second of the waters of GRAND RIVER for IRRIGATION PURPOSES purposes. I have to report on the condition of the same as follows:

The diversion works comprise:

2. A concrete dam with a pump
on it for pumping water to the other pump for
to the other line.

and the system is in the following condition:

The point of diversion is located

The works are capable of diverting and conveying to the place of use 1/3 cu. ft. per second of water, which is to be used for Domestic & industrial

The legal sub-divisions to be irrigated are: none

comprising a total of _____ acres of land.

The domestic use intended comprises 1/3The utilization for power, mining, or other beneficial uses comprises: 2/3Witness my hand, this 17 day of May, A. D. 1961.

—SEAL—

Examining Engineer.

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 15, 1985

Farmer Union Grain Terminal Ass.
1667 N Snelling
St. Paul MN 55071

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s) 746-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

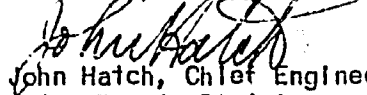
The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 746-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,


John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501-3181

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Farmer Union Grain Terminal Ass.
1667 N Snelling
St. Paul, MN 55071

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352



SUBJECT: Amendment to Water Permit No(s). 746-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 746-3 to add the following qualification:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501-3181

Attachment to Water Permit No(s). 746-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 746-3 to add the following qualification:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

Water Rights Division - DWNR

File No. 746-3

Conversation or File Documentation

NAME OF PERSON OR FILE: GTA Feed Division (Former Farmers Union GTA)

ADDRESS: P.O. Box 1447, Sioux Falls 57117 COUNTY Minnehaha

DATE: June 28, 1985 TELEPHONE _____

RE: Status of water right

COMMENTS:

Bob Woernman called concerning letter & notice of amendment for irrigation questionnaire. He stated they never have irrigated - but still have the research farm. (Approximately 3000 hogs, 120 cattle & 2-3,000 poultry) - Have 3 wells

After conferring with Jim W. I indicated to Mr. Woernman that we would inspect what they have and reissue the water license to delete the irrigation use and leave the industrial-domestic use.

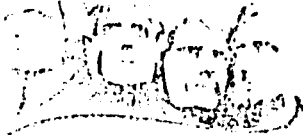
File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/82

NAME: Jenny McMath

Barry Schuch
CROWN OPERATOR

South Dakota



GREAT FACES. GREAT PLACES.
October 10, 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

746-3

GTA Feeds
John Johnson, General Manager
PO Box 1447
Sioux Falls SD 57117

Dear Mr. Johnson:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 746-3. The water right is currently listed in the name of Farmers Union Grain Term.

The transfer form should be completed, checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

Conversation or File Documentation

NAME OF PERSON OR FILE: Les ShafferADDRESS: GTA FeedsCOUNTY MinnehahaDATE: 7/31/91

TELEPHONE _____

RE: Status of license, use of water under # 746-3

COMMENTS:

(Went to inspect GTA Feeds - found (as noted in 1985) there was no irrigation of 17.4 acres on Permit # 746-3, but water for livestock & lawn. Presently, there are 3 wells.

(2) GTA # I need to see if there are any other permits/licenses issued.

Found out 120 cattle, 500 chickens, 30 pheasants were kept in 1991.

Will look up info on 2 other wells / contact Mr Shaffer on future inspection. May need to include 2 wells on license, or get new permits.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/82

NAME: Billy [Signature]

REDUCTION RATIO

ROLL NUMBER

DATE MICROFILMED

CAMERA OPERATOR SIGNATURE

Feeding the Dreams of Rural America

746-3



November 14, 1991

Mr. Gregory C. Johnston
Natural Resources Engineer
Water Rights Division
Joe Foss Bldg., 523 E. Capital
Pierre, SD 57501-3181

Dear Greg:

GTA Feeds Sioux Falls, a Division of Harvest States Cooperatives St. Paul would like to cancel permit number 746-3 in the name of the Farmers Union Grain Terminal Association. This well will be capped according to the published requirements of section 74:02:04:69.

GTA Feeds would like to license two wells as per attached application forms in the name of GTA Feeds Sioux Falls a division of Harvest States Cooperative St. Paul, MN.

Greg, thank you for your patience with us. The next time you're in Sioux Falls I would like you to stop by our office if it's not too inconvenient, I have another situation I would like to discuss with you.

Sincerely,

A handwritten signature in cursive script that reads "Jack".

Jack Krause
Quality Control and
Environmental Matters Manager

mbt

cc: John Johnson

GTAM FEEDS

746-3



November 25, 1991

Mr. Gregory C. Johnston
Natural Resources Engineer
Water Rights Division
Joe Foss Bldg., 523 E. Capital
Pierre, SD 57501-3181

Dear Greg:

Attached is the information on the well we intend to put into use in 1992 because of its depth and water quality. We will connect it to the present lines connected to the pump on tract #4. There will be no increase in water usage.

Thank you for your help.

Sincerely,

Jack Krause
Quality Control and
Environmental Concerns Manager

Enclosure

mbt

746-3

File No. 746-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Jack Krause - GTA Feeds

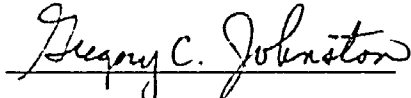
ADDRESS: Sioux Falls COUNTY: Minnehaha

DATE: 12/26/91 TELEPHONE: 605/339-1050

RE: No more irrigation under License No. 746-3

COMMENTS:

When I visited GTA Feeds last summer, I found that they were licensed for both irrigation and industrial and milling use of water - 0.33 cfs were appropriated to them. They are no longer using any water for irrigating, but have since expanded their need for water in milling and industrial purposes. Because the original license does not differentiate as to the exact amount of water to be used for irrigation and industrial and milling uses, the amount originally appropriated will not be changed from 0.33 cfs. Both Ron Duvall and Gale Selken agreed that this would be the best way to handle this.



Gregory C. Johnston

Natural Resources Engineer

DENR, Water Rights Division



December 26, 1991

746-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

Jack Krause
GTA Feeds
P.O. Box 1447
Sioux Falls, SD 57117

Dear Jack:

Per our conversation of November 22, the original diversion point covered under Water Permit No. 746-3 will be plugged and capped in accordance with South Dakota Well Construction Standards No. 74:02:04:69.

The old well adjacent to the original well on 746-3 may be permitted as a replacement well for the original. The well is within 660' of the original well and you will not have to apply for a change of diversion point.

The two new wells are new diversion points and an application will have to be completed for two new diversion points with no additional water beyond .33 cfs. If more than .33 cfs will be used, a new water permit for additional water will have to be applied for. Enclosed is the appropriate application as well as the instructions needed. I have partially completed these based on the information sent to me by your office. A fee of \$50 will be charged. Please complete and notarize the application and send it in with the \$50 fee.

I need another plat map with the location of the most recently placed well relative to the SE corner of Section 9-T101N-R50W as well as the actual well logs of the three wells indicating the type of soils and depths at which they were encountered. If you are unable to obtain the actual well logs, please let me know.

Thank you for your time and patience in this matter. If you have any further questions please call me at your convenience.

Sincerely,

Gregory C. Johnston

746-3

Gregory C. Johnston
Natural Resources Engineer
Water Rights Division
605 773-3352

encl

Feeding the Dreams of Rural America

746-3



January 6, 1992

Mr. Gregory C. Johnston
Natural Resources Engineer
Water Rights Division
Joe Foss Bldg., 523 E. Capital
Pierre, SD 57501-3181

Dear Greg:

Enclosed is the completed permit we received from you. The legal description for the second well is what I have from the courthouse. Enclosed is a plat map showing its location. Also enclosed is a check for \$50.00. Thank you.

Sincerely

Jack

Jack Krause
Quality Control and
Environmental Matters Manager

Enclosure

mbt

746-3

File No. 746-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: GTA Feeds

ADDRESS: P.O. Box 5047 Sioux Falls, SD 57117

COUNTY: Minnehaha

DATE: 1/21/92

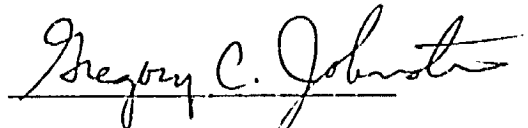
TELEPHONE:

RE: Location of two newest wells and obtaining well logs for all wells present at GTA.

COMMENTS:

Inspected all the wells at GTA on 1/21/92. The original well is capped and may be used in the future. The replacement well for the original well is in use. The two newest wells which are currently being applied for were located on the application map submitted by GTA Feeds. I found that the wells were located correctly on their map. The original well (Well No. 1) is located 724' N and 239' W of the SE corner; the replacement well (No. 2) is 850' N and 247' W of the SE corner; Well No. 3 is located 1623' N and 953' W of the SE corner; and Well No. 4 is located 1641' N and 2512' W of the SE corner; all wells in Section 9-T101N-R50W.

Spoke to Mr. Les Schaeffer, animal researcher, and found that only Well No. 4 has a well completion report available. Mr. Krause, environmental director, is attempting to obtain the well log at this time.



Gregory C. Johnston

Natural Resources Engineer

DENR, Water Rights Division

746-3

File No. 746-3

Water Rights Division -DENR

Conversation or File Documentation

NAME OF PERSON OR FILE: Jack Krause, GTA Feeds

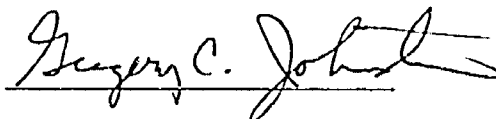
ADDRESS: Sioux Falls, SD COUNTY: Minnehaha

DATE: 3/13/92 TELEPHONE: 339-1090

RE: Well completion reports

COMMENTS:

Jack returned my call from 3/9/92. He has informed me that the firm that drilled the wells on the GTA premises has since gone out of business and that he will be unable to obtain any logs at all. One of the present GTA employees was employed by the driller at the time wells no. 2-4 were placed. His remarks were that the driller kept no records of the borings, but GTA has submitted reports on the wells' depths and general information based on the recollection of the GTA employee who worked with the driller at the time of these well placements. These are not actual original well completion reports.



Gregory C. Johnston

Natural Resources Engineer

DENR, Water Rights Division



746-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

SEP 20 1993

746A-3

Jack Krause
GTA Feeds
P.O. Box 1447
Sioux Falls, SD 57117-1447

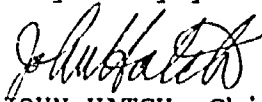
Dear Mr. Krause:

Enclosed is Water License No. 746A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413400 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 746A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

gm
enclosures

NOTE: The applicable portions of Water Right No. 746-3 have been incorporated into this Water License No. 746A-3.

ALQUIRE
LAND-O
ADDN.1

CHICAGO

LOT 2

AGE
ELLIS

69.

PA

401

- 502
BB.B6A

Located well #4

$$(Y_{21}/92)$$

Map is correct

Gregory C. Johnston

Gregory C. Johnston

Natural Resources Engineer

Water Rights Division DENR

#1127

new
well

893'

IR. 4

-004

119A

T

- 005

1740

139

100

SE corner

Section 9

2512

101 A 3

1250W

746-3

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

JAN 1992
DIVISION OF
WATER RIGHTS
Pierre, SD